IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 460 OF 2003

SHRI A.V. DHARWADKAR ....Applicants

Versus

M/S ELECTRO ENGINEERING ENTERPRISES & ORS., ...Respondents

MR.B.V.SAKPAL WITH,MR.M.S.SONAK,R.1

Coram:- V. G. PALSHIKAR, J.

Date:- 4th December, 2003

Hearing of this application was adjourned on 16th October, 2003, although none had appeared for the applicant. That indulgence was shown as a last chance. The matter thereafter appeared on 7th November, 2003, when the advocate for the applicant was absent and the party appeared in person. As the applicant is already represented through an advocate, the question of hearing the party in person did not arise and once again by way of indulgence the matter was adjourned. Today, when the application is called out for hearing, Shri V.R.Tamba, made a request on behalf of Shri Sakpal to adjourn the hearing of this application, on the ground that Shri Sakpal is in personal difficulty. This request is opposed by Shri Sonak, pointing out that

the matter has been adjourned in the past on several dates on one count or the other, at the instance of the applicant, i.e. 22nd August, 2003, 29th August, 2003, 11th September, 2003, 25th September, 2003, 9th October, 2003, 16th October, 2003 and lastly on 7th November, 2003.

In this view of the matter the request made on behalf of the applicant for adjournment is rejected. Shri Tamba submits that he has no instructions to proceed with the hearing of the application.

In the circumstances this application is dismissed for non-prosecution.

V. G. PALSHIKAR, J.